

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Michael Justin Foos,

Civ. No. 22-398 (JWB/DJF)

Petitioner,

v.

**ORDER**

B. Eischen,  
*FPC-Duluth Warden,*

Respondent.

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The above matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Dulce J. Foster dated March 14, 2023. (Doc. No. 17.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the Court reviews an R&R for clear error. *See Fed. R. Civ. P. 72(b); Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The March 14, 2023 Report and Recommendation (Doc. No. 17) is

**ACCEPTED;**

2. Petitioner Michael Justin Foos’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED**; and

3. This matter is **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: April 5, 2023

s/Jerry W. Blackwell

JERRY W. BLACKWELL

United States District Judge